

Geospatial Data Act (GDA) Workshop Guide to the GDA

**GDA Tiger Team Workshop
November 14-15, 2018**



GDA Section-by-Section Review

Approach and process to apply to each section:

- ❖ Provide summary of each section, highlighting:
 - Components consistent with current practices
 - Key changes
 - Critical topics/actions
- ❖ Discuss changes, potential impacts, questions, actions needed
- ❖ Identify unresolved issues & follow-up actions

Note – *this presentation is an initial FGDC analysis of the GDA, and will be updated and refined based on the results of the GDA Workshop*

Geospatial Data Act - Sections

- ❖ **Section 751. Short Title; Findings**
- ❖ **Section 752. Definitions**
- ❖ **Section 753. Federal Geographic Data Committee**
- ❖ **Section 754. National Geospatial Advisory Committee**
- ❖ **Section 755. National Spatial Data Infrastructure**
- ❖ **Section 756. NGDA Data Themes**
- ❖ **Section 757. Geospatial Data Standards**
- ❖ **Section 758. GeoPlatform**
- ❖ **Section 759. Covered Agency Responsibilities**
- ❖ **Section 759A. Limitation on Use of Federal Funds**
- ❖ **Section 759B. Savings provision**
- ❖ **Section 759C. Private sector**

Sec. 753. Definitions

Advisory Committee:

National Geospatial Advisory Committee (NGAC) operating under FACA

Committee:

Federal Geographic Data Committee

Covered Agency:

Executive Department as defined ...

Lead Covered Agency:

A lead covered agency for a National Geospatial Data Asset data theme

National Geospatial Data Asset data theme:

The NGDA core geospatial datasets related to a topic or subject designated under section 756 (NGDAs).

Sec. 753. Definitions

Sec. 752 (3) – “Covered Agency”

- (3) the term “covered agency” —
- (A) means—
- (i) an Executive department, as defined in **section 101 of title 5, United States Code**, that collects, produces, acquires, maintains, distributes, uses, or preserves geospatial data on paper or in electronic form to fulfill the mission of the Executive department, either directly or through a relationship with another organization, including a State, local government, Indian tribe, institution of higher education, business partner or contractor of the Federal Government, and the public;
 - (ii) the **National Aeronautics and Space Administration**; or
 - (iii) the **General Services Administration**; and
- (B) does not include the Department of Defense (including 30 components and agencies performing national missions) or any element of the intelligence community

Sec. 101, Title 5, U.S. Code

PART I—THE AGENCIES GENERALLY

Chap.		Sec.
1.	Organization	101
3.	Powers	301
5.	Administrative Procedure	501
6. ²	The Analysis of Regulatory Functions	601
7.	Judicial Review	701
8.	Congressional Review of Agency Rulemaking	801
9.	Executive Reorganization	901

AMENDMENTS

1996—Pub. L. 104-121, title II, §253, Mar. 29, 1996, 110 Stat. 874, added item for chapter 8.

CHAPTER 1—ORGANIZATION

Sec.	
101.	Executive departments.
102.	Military departments.
103.	Government corporations.
104.	Independent establishment.
105.	Executive agency.

§ 101. Executive departments

The Executive departments are:

The Department of State.
The Department of the Treasury.
The Department of Defense.
The Department of Justice.
The Department of the Interior.
The Department of Agriculture.
The Department of Commerce.
The Department of Labor.
The Department of Health and Human Services.
The Department of Housing and Urban Development.
The Department of Transportation.
The Department of Energy.
The Department of Education.
The Department of Veterans Affairs.
The Department of Homeland Security.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378; Pub. L. 89-670, §10(b), Oct. 15, 1966, 80 Stat. 948; Pub. L. 91-375, §6(c)(1), Aug. 12, 1970, 84 Stat. 775; Pub. L. 95-91, title VII, §710(a), Aug. 4, 1977, 91 Stat. 609;

Sec. 753. Definitions

Sec. 752 (3) – “Covered Agency”

List below shows all FGDC Steering Committee member agencies as of Sept 2018.
(Agencies with **X** are designated as “covered agencies” under GDA, per section 101, title 5, U.S. Code)

	Federal Communications Comm. (nonvoting)	X	U.S. Department of Commerce
X	General Services Administration		U.S. Dept. of Defense*
	Library of Congress	X	U.S. Dept. of Education
X	National Aeronautics and Space Administration	X	U.S. Dept. of Energy
	National Archives and Records Administration	X	U.S. Dept. of Health and Human Services
	National Capital Planning Comm. (nonvoting)	X	U.S. Dept. of Homeland Security
	National Science Foundation	X	U.S. Dept. of Housing and Urban Development
	Office of Management and Budget (tie-break)	X	U.S. Dept. of the Interior
	Office of Personnel Management	X	U.S. Dept. of Justice
	Small Business Administration	X	U.S. Dept. of Labor
	Smithsonian Institution	X	U.S. Dept. of State
	Social Security Administration	X	U.S. Dept. of Transportation
	Tennessee Valley Authority	X	U.S. Dept. of the Treasury
	U.S. Agency for International Development	X	U.S. Dept. of Veterans Affairs
	U.S. Army Corps of Engineers (nonvoting)		U.S. Environmental Protection Agency
X	U.S. Dept. of Agriculture		U.S. Nuclear Regulatory Commission

*Note – DOD is not included as a “covered agency” under Sec. 752. However, Sec. 753 (“Federal Geographic Data Committee”) requires Director of National Geospatial-Intelligence Agency (DOD) to appoint member to serve on FGDC.

Sec. 753. Definitions

Sec. 752 (5) – “Geospatial Data”

Previous Definitions

Executive Order 12906 (1994)

“Geospatial data” means information that identifies the geographic location and characteristics of natural or constructed features and boundaries on the earth. This information may be derived from, among other things, remote sensing, mapping, and surveying technologies. Statistical data may be included in this definition at the discretion of the collecting agency.

OMB Circular A-16 (2002)

Note - includes definitions of Data Themes, Metadata, and Standards, but does not include specific definition of “Geospatial Data”

Federal Enterprise Architecture Geospatial Profile (2008)

“Geospatial Data: Data with implicit or explicit reference to a location relative to the Earth’s surface; Spatial data are geographically referenced features that are described by geographic positions and attributes in an analog or computer-readable (digital) form.”

Sec. 753. Definitions

Sec. 752 (5) – “Geospatial Data”

GDA Definition (1)

Geospatial Data Act (2018)

(5) the term “geospatial data”—

(A) means information that is tied to a location on the Earth, including by identifying the geographic location and characteristics of natural or constructed features and boundaries on the Earth, and that is generally represented in vector datasets by points, lines, polygons, or other complex geographic features or phenomena;

(B) may be derived from, among other things, remote sensing, mapping, and surveying technologies;

(C) includes images and raster datasets, aerial photographs, and other forms of geospatial data or datasets in digitized or non-digitized form; and...

Sec. 753. Definitions

Sec. 752 (5) – “Geospatial Data”

GDA Definition (2)

Geospatial Data Act (2018)

(5) the term “geospatial data”—...

(D) does not include—

- (i) geospatial data and activities of an Indian tribe not carried out, in whole or in part, using Federal funds, as determined by the tribal government;
- (ii) classified national security-related geospatial data and activities of the Department of Defense, unless declassified;
- (iii) classified national security-related geospatial data and activities of the Department of Energy, unless declassified;
- (iv) geospatial data and activities under chapter 22 of title 10, United States Code, or section 110 of the National Security Act of 1947 (50 U.S.C. 3045);
- (v) intelligence geospatial data and activities, as determined by the Director of National Intelligence; or
- (vi) certain declassified national security-related geospatial data and activities of the intelligence community, as determined by the Secretary of Defense, the Secretary of Energy, or the Director of National Intelligence

Sec. 753. Definitions

Sec. 752 (13) – “Metadata for Geospatial Data”	
Previous Definition	GDA Definition
<p>OMB Circular A-16 (2002)</p> <p>“Metadata are information about data and/or geospatial services, such as content, source, vintage, spatial scale, accuracy, projection, responsible party, contact phone number, method of collection, and other descriptions. Metadata are critical to document, preserve and protect agencies' spatial data assets. Reliable metadata, structured in a standardized manner, are essential to ensuring that geospatial data are used appropriately, and that any resulting analysis is credible. Metadata also can be used to facilitate the search and access of data sets or geospatial services within a Clearinghouse or data library. All spatial data collected or derived directly or indirectly using federal funds will have FGDC metadata.”</p>	<p>Geospatial Data Act (2018)</p> <p>“The term 'metadata for geospatial data' means information about geospatial data, including the content, source, vintage, accuracy, condition, projection, method of collection, and other characteristics or descriptions of the geospatial data.”</p>

Sec. 753. Definitions

Sec. 752 (13) – “National Spatial Data Infrastructure”	
Previous Definition	GDA Definition
<p>Executive Order 12906 (1994) “National Spatial Data Infrastructure (“NSDI”) means the technology, policies, standards, and human resources necessary to acquire, process, store, distribute, and improve utilization of geospatial data.”</p> <p>OMB Circular A-16 (2002) “The Circular affirms and describes the National Spatial Data Infrastructure (NSDI) as the technology, policies, standards, human resources, and related activities necessary to acquire, process, distribute, use, maintain, and preserve spatial data.”</p>	<p>Geospatial Data Act (2018) “The term “National Spatial Data Infrastructure” means the technology, policies, criteria, standards, and employees necessary to promote geospatial data sharing throughout the Federal Government, State, tribal, and local governments, and the private sector (including nonprofit organizations and institutions of higher education).”</p>

Sec. 753. Federal Geographic Data Committee

Section Summary

This section codifies the continuation of an existing federal interagency committee, the Federal Geographic Data Committee (FGDC), established under OMB Circular A-16. The FGDC is the primary entity for developing, implementing, and reviewing the policies, practices, and standards relating to geospatial data according to the guidelines and requirements issued by OMB. This section states that the Secretary of the Department of the Interior (DOI) and Director of Office of Management and Budget (OMB) shall serve as Chairperson and Vice Chairperson of the committee, respectively, requires that the FGDC make available the annual summaries and evaluations of covered agency performance to the National Geospatial Advisory Committee (NGAC), and sets additional reporting requirements.

Sec. 753. Federal Geographic Data Committee

❖ Consistent with Current Practice

- IN GENERAL
 - FGDC is the lead entity in the executive branch for the development, implementation, and review of policies, practices, and standards relating to geospatial data
- MEMBERSHIP
 - Members of the Committee will be designated by the head of each covered agency and the Director of the NGA

Sec. 753. Federal Geographic Data Committee

❖ Consistent with Current Practice

- DUTIES (FGDC)
 - In accordance with other sections of the GDA, FGDC leads decision making for:
 - The NSDI strategic plan and geospatial data policy
 - NGDA Data Themes and management
 - GeoPlatform
 - National implementation of the systems of NGDA Data Themes
 - Coordinates with international organizations
 - Supports the infrastructure of networks, systems, services, and standards that provide a digital representation of the Earth to users for many applications
 - FGDC Office of the Secretariat remains within the Department of Interior

Sec. 753. Federal Geographic Data Committee

❖ Key Changes

- MEMBERSHIP (FGDC)
 - CHAIRPERSON AND VICE CHAIRPERSON:
The Secretary of the Interior and the Director of the Office of Management and Budget (OMB)
 - APPOINTED OFFICERS:
Assistant Secretary, or an equivalent or higher ranking position from Covered Agencies
 - GUIDANCE:
Director of OMB will update guidance on membership and roles within 1 year of GDA enactment

Sec. 753. Federal Geographic Data Committee

❖ Key Changes

- DUTIES (FGDC)
 - In accordance with other sections of the GDA, FGDC will
 - Establish and maintain geospatial data standards and agency compliance
 - Identify user needs for geospatial data
 - Promote cost-effective strategies for data collection, documentation, maintenance, distribution, and preservation
 - Leverage Federal and non-Federal resources for marketplace solutions
 - Define roles and responsibilities, and promote cooperation and coordination among Federal agencies, Tribal, State, and local governments, academia, and the private sector in:
 - the collection, production, sharing, and use of geospatial information;
 - NSDI implementation;
 - best practices.

Sec. 753. Federal Geographic Data Committee

❖ Key Changes

- DUTIES (FGDC Reporting)
 - New annual or biennial reports to summarize:
 - status of each NGDA Data Theme
 - achievements of each covered agency
 - collection of technical publications, management articles, and reports related to the NSDI
 - FGDC will request, and make available comments on these reports or summaries from:
 - the Advisory Committee (NGAC)
 - Covered Agencies
 - Membership directory for the FGDC, subcommittees, and working groups
 - FGDC will present a biennial report to Congress to summarize the reports, comments and responses of the Committee.

Sec. 753. Federal Geographic Data Committee

❖ Critical Topics/Actions

- MEMBERSHIP
 - Evaluate any delegation of responsibilities for new elevated roles of the:
 - Chairperson (Secretary of the Interior)
 - Vice Chairperson position (OMB Director)
 - Appointed Members (Assistant Secretary level--equivalent or higher)
 - Need to define scope of updated OMB guidance to be developed by Oct 5, 2019

Sec. 753. Federal Geographic Data Committee

❖ Critical Topics/Actions

• DUTIES

- Analyze the cross-cutting impacts or changes to current FGDC practices relating to the NSDI Strategic Plan, NGDA Data Themes, standards, and GeoPlatform
- Develop a communication strategy for GDA Implementation Plan that will:
 - Meet the geospatial data needs of a diverse user base and stakeholder community
 - Communicate standards compliance and testing strategies, and milestones with covered agencies
 - Establish templates and/or timelines for reports, meetings, and updates to the FGDC website and GeoPlatform
- Define a method to 1) broadly identify sectors, stakeholders, and users, and 2) document their needs in relation to the geospatial data inventory

Sec. 754. National Geospatial Advisory Committee

Section Summary

This section codifies the National Geospatial Advisory Committee (NGAC) and includes language specifying that the NGAC would be administered in DOI. Similar to its current charge, the NGAC will continue providing advice and recommendations to the chairperson of the FGDC relating to the management of federal and national geospatial programs, the development of the National Spatial Data Infrastructure (NSDI), and other activities relating to the implementation of this subtitle. The NGAC is also required to review and comment on geospatial policy and management issues and ensure that the views of representatives of non-federal interested parties involved in national geospatial activities are conveyed to the FGDC.

Sec. 754. National Geospatial Advisory Committee

❖ Consistent with Current Practice

- Advisory Committee sponsored & managed by DOI
- NGAC chair appointed by FGDC chair
- Membership composition, criteria, & terms of appointment
- Current ethics requirements apply to NGAC members
- Subcommittees may be established to develop draft products
- 1-4 Public Meetings per year
- Duties primarily the same (with addition of GDA implementation)
- No compensation of members, travel expenses covered
- Staff support provided by FGDC Secretariat
- FACA rules shall apply to NGAC, except as otherwise provided in GDA

Sec. 754. National Geospatial Advisory Committee

❖ Key Changes

- GDA establishes NGAC as statutory advisory committee
- Standing membership from NGA specified
- Adds “licensed geospatial data acquisition professionals” to list of potential membership groups
- Specifies 1/3 of membership appointments expire each year
- NGAC Chair responsible for subcommittee appointments
- NGAC Chair and DFO jointly responsible for subcommittee direction
- NGAC meetings to be called by Chair, instead of DFO
- Changes quorum from 2/3rds to majority
- Adds advice on implementation of GDA to list of NGAC duties
- Enables NGAC to request information directly from agencies with concurrence of FGDC Chair (and requires agencies to furnish such information). Also requires NGAC to report on non-compliance.
- New language regarding termination & continuation of NGAC

Sec. 754. National Geospatial Advisory Committee

❖ Critical Topics/Actions

- Various changes to NGAC responsibilities will require updates to NGAC charter & operating procedures
- Need to develop guidelines/process for potential NGAC requests to agencies as described in GDA
- Need guidance on applicability of FACA compared to requirements of GDA
- Additional NGAC review & comment responsibilities included in Sec. 753 (Federal Geographic Data Committee)

Sec. 755. National Spatial Data Infrastructure

Section Summary

This section defines NSDI as “the technology, policies, criteria, standards, and employees necessary to promote geospatial data sharing throughout the Federal Government, State, tribal, and local governments, and the private sector (including nonprofit organizations and institutions of higher education).” This section establishes goals of the NSDI and mandates that FGDC prepare and maintain a strategic plan.

Sec. 755. National Spatial Data Infrastructure

❖ Consistent with Current Practice

- NSDI introductory statement in GDA (Sec. 755a) is consistent with NSDI vision statement in OMB A-16
- Goal (b)(2), related to Global Spatial Data Infrastructure, is consistent with language in OMB A-16.
- Includes requirement to prepare and maintain a strategic plan for the NSDI*

Sec. 755. National Spatial Data Infrastructure

❖ Key Changes

- Goal (b)(1), related to goals for the NSDI, includes elements not included in the current Circular A-16:
 - Privacy (Privacy Act of 1974)
 - Statistical information
 - Open access to data (OMB Circular A-130)
 - Licensed data, and
 - Interoperability of data
- *NSDI strategic plan now includes requirement to develop plan “in a manner consistent with national security, national defense, and emergency preparedness program policies regarding data accessibility.”
- New advisory requirement – “FGDC shall advise Federal and non-Federal users of geospatial data on their responsibilities relating to implementation of the NSDI.”

Sec. 755. National Spatial Data Infrastructure

❖ Critical Topics/Actions

- Ensuring compliance with requirements related to privacy, statistical information, open access to data, licensed data, and data interoperability.
- Coordinating with DOD, DHS, etc. to ensure compliance with data accessibility policies related to national security, national defense, and emergency preparedness.
- Discussion needed in regard to advisory role requirement – how should FGDC “advise Federal and non-Federal users of geospatial data” on their responsibilities relating to implementation of the NSDI?
- Note - NSDI strategic plan provides basis for covered agency strategies referenced in Sec. 759 (a)(1)

Sec. 756. NGDA Data Themes

Section Summary

This section requires the FGDC to designate for management by federal agencies NGDA data themes, which are primary topics and subjects such as elevation, federal land ownership, vegetation, or marine boundaries, for which the coordinated development, maintenance, and dissemination of geospatial data would benefit the federal government and people of the United States.

Sec. 756. NGDA Data Themes

Sec. 752 (3) – “Covered Agency”					
List below shows all FGDC Steering Committee Agencies as of Sept 2018 (Agencies with X are designated as “covered agencies” under GDA, per section 101, title 5, U.S. Code)					
		Federal Communications Comm. (nonvoting)	X	60	U.S. Department of Commerce
X	1	General Services Administration		2	U.S. Dept. of Defense*
		Library of Congress	X		U.S. Dept. of Education
X	3	National Aeronautics and Space Administration	X		U.S. Dept. of Energy
		National Archives and Records Administration	X		U.S. Dept. of Health and Human Services
		National Capital Planning Comm. (nonvoting)	X	1	U.S. Dept. of Homeland Security
		National Science Foundation	X	12	U.S. Dept. of Housing and Urban Development
		Office of Management and Budget (tie-break)	X	59	U.S. Dept. of the Interior
		Office of Personnel Management	X		U.S. Dept. of Justice
		Small Business Administration	X		U.S. Dept. of Labor
		Smithsonian Institution	X	2	U.S. Dept. of State
		Social Security Administration	X	9	U.S. Dept. of Transportation
		Tennessee Valley Authority	X		U.S. Dept. of the Treasury
		U.S. Agency for International Development	X		U.S. Dept. of Veterans Affairs
	8	U.S. Army Corps of Engineers (nonvoting)		2	U.S. Environmental Protection Agency
X	17	U.S. Dept. of Agriculture			U.S. Nuclear Regulatory Commission

***176 NGDA Datasets in 12 Departments (as of Sept 2018)**

Sec. 756. NGDA Data Themes

❖ Consistent with Current Practice

- IN GENERAL
 - Development, maintenance, and dissemination of geospatial data are coordinated within Themes (or conceptual topics)
 - Datasets will be
 - Documented, verifiable and officially designated
 - Those that may be used in common
 - From which other datasets may be derived
- LEAD COVERED AGENCIES
 - Coordinate management of data, supporting resources (technology and personnel), and delivery of services and product
 - Develop goals that support the NSDI Strategic Plan

Sec. 756. NGDA Data Themes

❖ Key Changes

- LEAD COVERED AGENCIES - SPECIFIC RESPONSIBILITIES
 - FGDC Lead Agencies will build a stronger alignment of Themes and development of standards. In accordance with A-119 agencies will:
 - Conduct assessment of existing standards
 - Identify gaps
 - Develop a plan to originate and implement needed standards
 - Develop and implement a plan for population of NGDA Themes
 - Include partnerships with State, Indian Tribes, academia, private sector, other federal and local governments to meet identified user, resource and technology needs
 - Expedite development of necessary NGDA Data Themes
 - Collect and analyze user needs information and incorporate into strategies for NGDA Data Themes

Sec. 756. NGDA Data Themes

❖ Key Changes

- LEAD COVERED AGENCIES –
 - New reporting requirements (as part of administering the NGDA data themes) include:
 - Submit an annual Theme Implementation Performance Report
 - Comment on FGDC summaries of the Annual Reports
 - Contribute to the biennial Congressional report
 - Publish maps and graphics showing extent and status of NGDA themes
 - Identify and publish proven practices for the use and application of geospatial data of the lead covered agency

Sec. 756. NGDA Data Themes

❖ Critical Topics/Actions

- IN GENERAL
 - Evaluate how FGDC will designate the Themes (or primary topics)
- LEAD COVERED AGENCIES - SPECIFIC RESPONSIBILITIES
 - Identify common processes for ensuring metadata and geospatial data for the NGDA Themes are included in the GeoPlatform
 - Develop a common template for implementation plans regarding population of NGDA Themes

Sec. 757. Geospatial Data Standards

Section Summary

This section requires the FGDC to establish standards for each of the NGDA data themes, including rules, conditions, guidelines, and characteristics, and also establishes content standards for metadata. These standards are required to be consistent with international standards to the maximum extent practicable and be periodically reviewed and updated. At the request of DOD and the intelligence community, this section also contains an exclusion from public disclosure of any information that could reasonably be expected to cause damage to the national interest, security, or defense of the nation, including information relating to geospatial intelligence data activities, as determined in consultation with the Director of National Intelligence.

Sec. 757. Geospatial Data Standards

❖ Consistent with Current Practice

- Federal agencies are required to use FGDC-endorsed standards per OMB Circular A-16
- OMB Circular A-119 directs Federal agencies to use voluntary consensus standards in lieu of government-unique standards except where inconsistent with law or otherwise impractical
- Public Law 104-113, the National Technology Transfer and Advancement Act of 1995, codified policies in OMB Circular A-119
- There are many existing FGDC-endorsed standards, including metadata

Sec. 757. Geospatial Data Standards

❖ Key Changes

- ❖ The standards must be consistent with international standards and protocols
- ❖ Include universal data standards acceptable for purposes of declassified intelligence community data.

Sec. 757. Geospatial Data Standards

❖ Critical Topics/Actions

- ❖ FGDC and data theme leads will need to research existing national/international/universal standards
 - Coordinate with the Geospatial Intelligence Standards Working Group (GWG)
- ❖ Standards must be “periodically” reviewed and updated. Need to define “periodically.” (through updated OMB guidance?)
- ❖ Need to define how standards will address NGDA data themes “and related processes, technology, and organization”. (would specific software be part of the standard, or organizational structures such as geospatial management offices)?
- ❖ Repercussions for agencies whose data does not comply with applicable standards.
 - See Section 759A Limitation on Use of Federal Funds

Sec. 758. GeoPlatform

Section Summary

This section directs the FGDC to operate an electronic service providing public access to geospatial data and metadata to be known as the GeoPlatform (many refer to this as the geospatial data “clearinghouse”). The GeoPlatform is required to be made available through the Internet, be accessible through a common interface, include metadata for all geospatial data collected, directly or indirectly, by covered agencies, and include a set of programming instructions and standards that would provide an automated means of accessing geospatial data. Additionally, this section prohibits the GeoPlatform from storing or serving proprietary information or data acquired under a license by the federal government, unless authorized by the data provider.

Sec. 758. GeoPlatform

❖ Consistent with Current Practice

- The GeoPlatform is:
 - Available via the Internet through a common interface;
 - Includes metadata for geospatial data;
 - Includes download access either directly or indirectly;
 - May include geospatial data from a source other than a covered agency if determined appropriate.
- Agency to be designated as the managing partner for developing and operating the GeoPlatform, taking direction from the Committee on the scope, functionality, and performance of the GeoPlatform.

Sec. 758. GeoPlatform

❖ Key Changes

- ❖ Include a set of programming instructions and standards providing an automated means of accessing available geospatial data.
- ❖ Shall not store or serve proprietary information or data acquired under a license by the Federal Government unless authorized by the data provider.
- ❖ The “Chairperson of the Committee shall designate an agency to serve as the managing partner”.
- ❖ GeoPlatform is intended to include all NGDA and other Federal datasets
- ❖ Covered agencies are not precluded from also presenting, providing, or disseminating data that is:
 - Specific to functions of the covered agency;
 - Targeted to information consumers that directly interface with covered agency.

Sec. 758. GeoPlatform

❖ Critical Topics/Actions

- ❖ Does the direction for the Chairperson of the Committee to designate the managing partner agency impact current Department of Interior role?
- ❖ Is the FGDC Executive Committee, which currently provides some oversight of the GeoPlatform, the appropriate body to provide oversight on the GeoPlatform planning and implementation activities?
- ❖ What is the role of the GeoPlatform in providing access to licensed data?
- ❖ What is required by agencies to ensure the GP has “download access to all open geospatial data directly or indirectly collected by covered agencies”? And how will progress on this be evaluated?
- ❖ What opportunities are available via the GeoPlatform to serve specific functions of covered agencies or targeted information consumers that directly interface with covered agencies?

Sec. 759. Covered Agency Responsibilities

Section Summary

This section establishes the responsibilities and reporting requirements for each covered agency under this subtitle. This section requires the Inspector General of each covered agency (or the senior ethics official of a covered agency without an Inspector General), to submit to Congress an audit not less than once every two years of the collection, production, acquisition, maintenance, distribution, use, and preservation of geospatial data by the covered agency.

Sec. 759. Covered Agency Responsibilities

❖ Consistent with Current Practice

- Collect, maintain, disseminate, and preserve geospatial data.
- Promote the integration of geospatial data from all sources.
- Allocate resources to fulfill geospatial responsibilities of the covered agency, and as necessary to support activities of the Committee.
- Use data standards and metadata, and make available through the GeoPlatform.
- Coordinate and work in partnership across all government and non-government sectors to efficiently and cost-effectively collect, integrate, maintain, disseminate, and preserve geospatial data, building upon existing non-Federal geospatial data to the extent possible.
- Use geospatial information to make services more useful to the public, enhance operations, support decision making, and enhance reporting to the public and Congress.
- Protect personal privacy and maintain confidentiality in accordance with Federal policy and law.
- Search GeoPlatform before expending any funding on new data collections.

Sec. 759. Covered Agency Responsibilities

❖ Key Changes

- ❖ Prepare, maintain, publish, and implement an agency geospatial strategy, in support of the NSDI strategic plan.
- ❖ Submit to the Committee annually a report describing achievements in the agency geospatial strategy and all other GDA requirements.
- ❖ Ensure data products and other records in geospatial data activities are approved by the National Archives and Records Administration (NARA).
- ❖ Determine if, how, and what declassified data can contribute and be part of the NSDI.
- ❖ Ensure individuals receiving Federal funding provide high-quality data.
- ❖ Appoint a contact to coordinate with the lead covered agencies for collection, acquisition, maintenance, and dissemination of NGDA data themes used by the covered agency.

Sec. 759. Covered Agency Responsibilities

❖ Key Changes – Budget, Reporting, and Audits

- ❖ Include geospatial data in preparing annual budget submission.
- ❖ Maintain an inventory of all geospatial data assets in accordance with OMB Circular A-130 (policy for management of Federal information resources).
- ❖ Prepare an annual Report to Congress identifying Federal-wide geospatial data assets.
- ❖ Each agency shall disclose each contract, cooperative agreement, grant, or other transaction that deals with geospatial data.
- ❖ OMB shall, while reviewing annual budget justifications, take into consideration the summary of status and progress evaluations of covered agency responsibilities outlined in Section 753(c)(10) on the status of NGDA themes and summary of covered agency achievements.
- ❖ OMB shall include a discussion of NSDI progress in each E-Government status report.
- ❖ Inspector General, not less than once every two years, shall submit to Congress an audit of geospatial data activities of the covered agencies including standards compliance, covered agency responsibilities under the GDA, and compliance on covered agency limitations on the use of Federal funds.

Sec. 759. Covered Agency Responsibilities

❖ Critical Topics/Actions

- ❖ Is there an integrated approach to streamline the development and review of the various strategies, reports, and audits called for in the GDA?
- ❖ Would there be a benefit for all covered agencies to follow a similar template for agency geospatial strategies and annual reports?
- ❖ What level of detail should be considered for incorporating geospatial data costs in annual budget submissions?
- ❖ What should the annual report to Congress on geospatial data assets contain for the greatest benefit to the covered agencies, Congress, and the public?
- ❖ Is there a mechanism for engaging with agency IGs prior to the commencement of the audits to discuss and agree to expectations on information required to streamline the audit process?
- ❖ How should agencies disclose information on geospatial contracts, grants, and other agreements, what level of information is acceptable to provide publicly?
- ❖ Are there additional actions to be taken beyond normal agency controls to ensure safeguarding of personal privacy and confidentiality?

Sec. 759A. Limitation on Use of Federal Funds

Section Summary

This section prohibits the use of federal funds by a covered agency for the collection, production, acquisition, maintenance, or dissemination of geospatial data that does not comply with applicable standards established under Section 757, as determined by the FGDC. The prohibition under this section will be effective five years from the date on which standards for each NGDA theme are established by the FGDC.

Sec. 759A. Limitation on Use of Federal Funds

(a) DEFINITION

“Implementation date” means 5 years after standards for each NGDA data theme are established under Sec. 757 (“Geospatial Data Standards”).

(b) LIMITATION

Except as otherwise provided, on and after the implementation date, covered agencies **may not** use Federal funds for the collection, production, acquisition, maintenance, or dissemination **of geospatial data that does not comply with the applicable standards** established under section 757, as determined by the Committee.

(c) EXCEPTION FOR EXISTING GEOSPATIAL DATA

On and after the implementation date, covered agencies **may use** Federal funds to maintain and disseminate geospatial data that does not comply with the applicable standards established under section 757 **if** the geospatial data was collected, produced, or acquired by the covered agency before the implementation date.

Sec. 759A. Limitation on Use of Federal Funds

(d) WAIVER

The FGDC Chairperson may grant a waiver of the limitation upon a request from a covered agency

A request for a waiver shall:

- be submitted not later than 30 days before the implementation date;
- provide a detailed explanation of the reasons for seeking a waiver;
- provide a detailed plan to achieve compliance with the applicable standards established under section 757; and
- provide the date by which the covered agency shall achieve compliance with the applicable standards established under section 757.

(e) BEST EFFORTS TO COMPLY DURING TRANSITION

During transition period, each covered agency, to the maximum extent practicable, shall collect, produce, acquire, maintain, and disseminate geospatial data within the NGDA data theme in accordance with the standards